

**PRELIMINARY AMENDMENT**  
**CPA of U.S. Appln. No. 09/254,005**

**REMARKS**

Claims 1 and 3 have been amended to recite that the coated powders constituting the consolidated material are arranged at the same distance from one another in a given direction and are united into the consolidated material while maintaining the same distance in a given direction. Support is found, for example, at page 19, lines 11-19 of the specification. Entry of the amendments is respectfully requested.

Review and reconsideration on the merits are requested.

In the prior application, claims 1, 3, and 5-8 were rejected under 35 U.S.C. § 102(a) as being anticipated by U.S. Patent 7,763,085 to Atarashi et al. Atarashi et al was cited as teaching a powder having multilayer films thereon. The reference was further cited as teaching that the particles may be consolidated as a toner (col. 9, line 37), a heat dissipating sheet (col. 13, line 19) or for heat dissipation of electronic parts (col. 13, lines 13-19).

Applicants respectfully traverse for the following reasons.

The consolidated material of coated powders of the present invention is characterized in that the powder particles are arranged at the same distance in a given direction and united into a consolidated molding while maintaining that state.

If the powder of Atarashi were used as a toner as the Examiner suggested, usually for a color copy, powder particles having several colors (e.g., cyan, magenta and yellow) are stacked, like a stacked sweet cake. Each colored toner is fused and flattened, and thereby fixed on the paper. In order to exhibit complicated colors as in a photograph, the colored powder particles are pressed in various ratios, and in order to exhibit a white color, no toner is pressed.

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Therefore, even if the power of the Atarashi were consolidated, the above feature of the present invention is not obtained.

In the prior application, claims 1, 3 and 5 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 4,873,148 to Kemp, Jr., et al. The Examiner considered Kemp as teaching a metallic coated particle including a coating consisting essentially of a relatively ductile and/or malleable metallic material. The particles are said to be useful in the formation of thin uniform coatings as applied by physical vapor deposition or chemical vapor deposition. Kemp was further cited as teaching that the coatings are continuous (col. 1, lines 13-20).

Applicants respectfully traverse for the following reasons.

It is possible to obtain a heavy (large specific gravity) coating by subjecting powder having a tungsten metal core (high melting) and an aluminum coating (low melting) to a plasma process to melt only the aluminum. However, Kemp does not disclose how such fused aluminum is laminated and arranged. Also, the configuration of the tungsten core is not disclosed. Kemp describes that the aspect ratio is over 50 to 1 which means the shape is platy or spicula. Such powders are easy to fill, and it is expected that the platy powder can be filled with high density. However, such powder is not always arranged as required by the present invention. If the coated particles of Kemp are molten in the method of Kemp, a layer as shown in Figs. 1-2 is obtained. Moreover, since tungsten whose melting point is high has a larger specific gravity than that of molten aluminum, the tungsten sinks into the molten aluminum, and in some cases are separated in two layers (Figs. 1-3).

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Thus, the present invention is not taught or suggested by the Kemp, since the consolidated powder of the present invention is characterized in that the powder particles are arranged at the same distance in a given direction and united into a consolidated molding while maintaining that state, to thereby maintain the effect of a multilayer coating.

Withdrawal of the foregoing rejections and allowance of claims 1, 3 and 5-8 is earnestly solicited.

In the event that the Examiner believes that it may be helpful to advance the prosecution of this application, the Examiner is invited to contact the undersigned at the local Washington, D.C. telephone number indicated below.

Respectfully submitted,



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APPENDIX

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

1. (Twice Amended) A consolidated material of coated powders each comprising a base particle having thereon a coating film having a uniform thickness of 0.01 to 20  $\mu\text{m}$ , wherein the coated powders are mutually adhered at the coating film, the base particle comprises a glass, a metal, or a metal oxide, and the coating film is a metal film or a metal oxide film, wherein the coated powders constituting the consolidated material are arranged at the same distance from one another in a given direction and are united into said consolidated material while maintaining the same distance in a given direction.

3. (Twice Amended) A consolidated material of coated powders each comprising a base particle having thereon plural coating films having a uniform thickness of 0.01 to 5  $\mu\text{m}$  per film in which at least any adjacent coating films are different in kind, wherein the coated powders are mutually adhered at the outermost coating film, the base particle comprises a glass, a metal, or a metal oxide, and the coating films are each a metal film or a metal oxide film, wherein the coated powders constituting the consolidated material are arranged at the same distance from one another in a given direction and are united into said consolidated material while maintaining the same distance in a given direction.